IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 11333 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE PRADIP KUMAR SARKAR

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

HASUBHAI KATHARBHAI BASIA

Versus

REGIONAL TRANSPORT OFFICER

Appearance:

MR DK NAKRANI for Petitioner

MR AJ DESAI, Ld. AGP for respondents

NOTICE SERVED BY DS for Respondent No. 2

CORAM : MR.JUSTICE PRADIP KUMAR SARKAR

Date of decision: 24/11/2000

ORAL JUDGEMENT

I have heard Mr.D.K. Nakrani, learned counsel appearing on behalf of the petitioner. I have also heard Mr.A.J.Desai, learned AGP appearing on behalf of the

respondents. Rule. Mr.Nakrani for the petitioner submitted that since the vehicle is lying idle for quite a long time, the petitioner is agreeable to pay the tax as demanded and communicated by the concerned Authority by letter dated 20-11-2000. Since the learned counsel for the petitioner agreed to give the above undertaking, I am of the view that the matter should be disposed of. Accordingly, on payment of the amount of tax demanded by the concerned authority by the letter dated 20-11-2000, the respondents are directed to release the vehicle (No.GJ-3-U-567, Chaise No.LVE 325935 and Engine No.LVE 209388 Model 1994). However, the Authority may verify the ownership of the vehicle before handing over the vehicle. The release of the vehicle is subject to the order of the concerned Authority regarding the penalty for the offence, if any, committed by the petitioner. With the aforesaid observations and directions, the petition is disposed of. Rule is discharged. Direct service is permitted by today.

24-11-2000 (P.K.Sarkar, J.)

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